

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

No. 06-60898

U.S. COURT OF APPEALS  
**FILED**

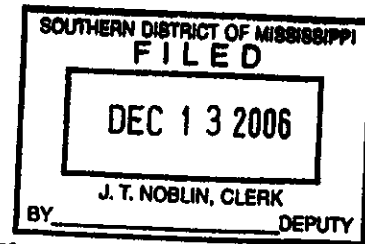
DEC 5 2006

IN RE: BILLY R. ARMSTRONG,

CHARLES R. FULBRUGE  
CLERK

Movant.

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Motion for an order authorizing  
the United States District Court for the  
Southern District of Mississippi to consider  
a successive 28 U.S.C. § 2254 application  
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Before KING, GARZA, and OWEN, Circuit Judges.

4:06cv118

PER CURIAM:

Billy R. Armstrong, Mississippi prisoner # 76350, seeks leave to file a second 28 U.S.C. § 2254 application in the district court challenging his 1996 armed robbery conviction. See 28 U.S.C. § 2244(b)(3)(A). He raises the following three issues: (1) whether his sentence violates the Ex Post Facto Clause; (2) whether the Respondent denied his earned time credits; and (3) whether his sentence must be served under Mississippi's "Truth-in-Sentencing Laws."

Armstrong fails to make a prima facie showing that his successive application meets the requirements of § 2244(b). Therefore, IT IS ORDERED that his motion is DENIED.

Handwritten signature of Charles R. Fulbruge  
CLERK, U.S. COURT OF APPEALS, FIFTH CIRCUIT  
New Orleans, Louisiana  
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